



February 8, 2017

City of Madison Planning Department
215 Martin Luther King Jr., Blvd, Room LL-100
P.O. Box 2985
Madison, Wisconsin 53701-2985

RE: LETTER OF INTENT for Land Use Application (LUA) for Rezoning, Conditional Use Permit and Demolition Permit for JOT Properties, LLC and SUB Properties, LLC d/b/a Klein's Floral & Greenhouses (hereafter "Klein Floral") located at 3758 East Washington Ave., Madison WI

PROJECT TITLE: Klein's Floral & Greenhouses Redevelopment

To Whom It May Concern:

We begin this Letter of Intent (LOI) with a brief history of Klein's Floral & Greenhouses. The present owners of the Property (see "legal description" attached to this LOI as Exhibit A) subject to this LUA are JOT Properties, LLC and SUB Properties, LLC both of which entities are owned and controlled by Susan H. Klein who is the sole member of each LLC. JOT, Properties, LLC is also the operator of Klein Floral. Ms. Klein is the 3rd generation of Kleins owning and operating Klein Floral. Her grandfather, Frederick Klein, started the business in 1913 at this same location and it has remained in the family ever since. Sue has 4 children, 2 of whom are planning to follow in her footsteps and will continue operation of the business into a fourth generation.

It is in anticipation of this 4th generation of family operation that is the motivation for this massive modernization and upgrade of this greenhouse and floral facility to a "state of the art" status. A complicating factor in her decision to undertake this project has been the long-term (but vague and uncertain) plan of the Wisconsin Department of Transportation (DOT) to rebuild the intersection of Hwy 51 and East Washington Avenue (Hwy 151). Sue has participated in several meetings with WDOT and the City of Madison to discuss this intersection project and has viewed several different planning scenarios. At the same time that it appears that the intersection project (if or when it occurs) will impact her greenhouse and floral business with respect to visibility and access, there has been no way to determine what the actual impact will be because of the significant uncertainty of what DOT will ultimately decide to do. In addition, the timing for the reconstruction of the intersection is likewise very uncertain. It has been suggested that reconstruction of the intersection will not come earlier than 2025 and could easily be later than that. In the meantime, as a business person, Sue has no real choice but to go forward with the

modernization of her business because a failure on her part to do so, would lead to the eventual demise of her family business. She is not willing to allow that to happen when she has two sons who are anxious to continue in the family footsteps.

This history leads us directly to the LUA and this LOI in support of the LUA.

The presently existing structures on the site are old and inefficient. The house on the premises was the original homestead of Sue's grandfather, Sue's father, and is the house in which Sue grew up. It is obviously a place of untold precious memories for Sue but it is also very old and is in significant need of repair or demolition. With regret, Sue has chosen demolition because of the overriding needs of the business in order to keep the business viable.

In this context, we submit the following specific information regarding this proposed project:

1] **Project Team:**

- a. Land Use Planner / Project Coordinator: Tim Anderson Consulting, LLC
Contact Person: Tim Anderson
2126 Yahara Place
Madison WI 53704
- b. Architect: Linville Architects, LLC
Contact Person: Ed Linville
408 E. Wilson St.
Madison WI 53703
- c. Engineer and Surveyor: Burse Surveying & Engineering, Inc.
Contact Person: Michelle Burse
2801 International Lane, Suite 101
Madison WI 53704
- d. Landscape Architect: Ken Saiki Design
Contact Person: Pat Saiki
303 S. Patterson St., Suite 1
Madison WI 53703
- e. Garden Center Consultant: Growing Places Marketing
Contact Person: Judy Sharpton
32 Navigator Lane
Savannah, Georgia 31410
Phone No: 770-815-1052
- f. Construction Contractor: To be determined

g. Attorney: Jerry E. McAdow
Boardman & Clark, LLP
1 So. Pinckney St., 4th Floor
P.O. Box 927
Madison WI 53701-0927
Ph: 608-286-7203

2] **Existing Conditions:**

Klein Floral & Greenhouses is currently a fully functioning, year-around greenhouse and retail business with an emphasis on growing a wide variety of plants and flowers for sale. The business intends to stay open during the new construction operating out of temporary quarters which will consist of converting a portion of the existing growing greenhouses (hoop houses) at the rear of the Klein's site to accommodate retail sales and administrative offices. Building Inspection has reviewed and accepted this plan pending additional details that will be provided as part of a temporary permit request. The existing house is part of the retail center and contains administrative offices. That house is currently subject to repair and maintenance orders issued by the City Building Inspector but those orders are in a state of suspension subject to the demolition and construction which is the subject of this LUA. The north side of the site that includes the growing greenhouses (hoop houses) will remain undisturbed and will not be included in the proposed construction. This portion of the property will be reconstructed at a later date to be determined.

3] **Project Schedule:**

With the filing of this LUA on February 8, 2017, we are aiming at our appearance before the UDC on March 22, 2017, the Plan Commission on April 3, 2017 and the Common Council on April 18, 2017. We will be asking the UDC for "Initial/Final" approval at our meeting on March 22 so that we can stay on the rest of our proposed schedule. Subject to getting all of the required City recommendations and approvals, we would apply for the Demolition permit in late April or May, 2017. Modification of the existing greenhouse to allow for the continuation of the business during construction would occur in May/June, 2017 with actual demolition and construction commencing in June, 2017. It is anticipated that construction would be completed in late November or early December, 2017 with an Open House for the new facility being held in early 2018. It is the intention of Sue Klein to have the new facility actually in full operation in early December in order to not miss participation in the December holiday season.

4] **Proposed Uses:**

Greenhouse (growing plants and flowers) plus storage and equipment:	18,000 sq. ft.
Retail sales:.....	8,480 sq. ft.
Administrative:.....	2,584 sq. ft.
Parking:.....	31,772 sq. ft.
Landscaping:.....	29,261 sq. ft.

Square footage as presented above is approximate, but accurate to +/- 5%.

5] **Hours of Operation:**

Weekdays: 8:00 a.m. to 6:00 p.m.
Saturday: 9:00 a.m. to 5:00 p.m.
Sunday: 10:00 a.m. to 4:00 p.m.
Springtime hours:
Weekdays: 8:00 a.m. to 8:00 p.m.
Saturday: 8:00 a.m. to 6:00 p.m.
Sunday: 9:00 a.m. to 5:00 p.m.

Holidays hours are variable and all hours of operation are subject to reasonable adjustment according to needs and circumstances.

6] **Building Square footage:**

Greenhouses:	16,650 sq. ft.
Storage:	1,350 sq. ft.
Retail:	8,480 sq. ft.
Administrative:	2,584 sq. ft.

Square footage as presented above is approximate, but accurate to +/- 5%.

7] **Number of Dwelling Units:**

None.

8] **Number of Auto and Bike Parking Stalls:**

Auto parking stalls (customer):	61
Auto parking stalls (employees):	8
Bike parking stalls:	9 (5/customers; 4/employees)



9] **Lot Coverage and Useable Open Space Calculations:**

Lot Coverage:: 29,261 sq. ft.
Useable Open Space: 107,368 sq. ft.

Square footage as presented above is approximate, but accurate to +/- 5%.

10] **Value of Land (excluding presently existing buildings):**

2016 assessed valuation (land only):

JOT Properties, LLC (Parcel No. 251-0810-332-0317-6): \$517,500

SUB Properties, LLC (Parcel No. 251-0810-332-0320-9) \$304,000

Total: \$ 821,500

(No recent appraisal.)

11] **Estimated Project Cost:**

\$2,500,000

12] **Number of Construction and Full-time Equivalent Jobs Created:**

Construction jobs created:.....: ?*
Full-time equivalent jobs:.....: 5**

* As of the date of this LOI, a contractor has not yet been selected and as a result, this number is not currently known.

** It is not anticipated that the Klein employee force will substantially increase as a result of the new construction because it will be the continuation of an ongoing business. At the same time, however, the facility will be larger and the Owner anticipates needing to expand her work force by the above estimate. Also, depending upon the season or holiday, part-time employees are hired from time to time and with growth of the business and with the new facility, it is expected that the part-time work force will also increase.

13] **Public Subsidy Requested:**

None



14] **Rezoning Request**

A small portion of the subject property has not been appropriately zoned (See Ex. B attached to this LOI). The area designated in Ex. B has been used by the Greenhouse operation for many, many years, at the same time that it is zoned for residential use. This has been largely overlooked by everyone as a kind of “grandfathered” use which was not being objected to by nor harming anyone. We are seeking the rezoning of the entire Property described in attached Exhibit A (referred to as Lot 1 in proposed CSM) to zoning classification CC-T (Commercial Corridor Transitional District) in order to resolve this concern for all future purposes.

15] **Conditional Use Permits**

To facilitate the continued operation of this floral facility and the new construction, we request the granting of the following conditional uses:

- a. To permit outdoor storage in an area having an approximate size of 8’ x 70’ which will be covered by a metal roof. The product to be stored in this area is bagged soils and mulches, open to the view of customers so they will be aware of its availability for their purchase. It is proposed to be located as far away as possible from any residential area, specifically the outdoor storage area will be located on the NWly side of the Property, away from the residences which are located on the Ely side of the Property. It will be in a fenced in area and securely locked up at the end of each business day.
- b. To permit the construction of a building having an area in excess of 25,000 sq. ft. (see Project Plans)

16] **Curbside Landscaping**

Based upon the planned location of the new building, Sue Klein wishes to provide seasonal landscaping along the expanse of the building which fronts on East Washington Ave. She specifically wishes to avoid any requirement for planting trees along this street because they would shade and detract from the seasonal landscaping. Her landscaping plans include the planting of attractive spring annuals which mature into summer “annuals”. In the fall, she would change out the summer annuals and plant fall mums, grasses, kale and other fall plants. In the winter, there would be evergreens. Some plants will be in containers which can be moved from time to time. With these plans in mind, she is requesting that any requirement for the planting of curbside trees would be waived.

17] **Fire Access**

The proposed building will be fully “sprinkled” for fire suppression. In addition, based upon conversations we have had with the Madison Fire Department, it is our understanding that we will have adequate emergency vehicle and hydrant access for the proposed new structures subject to the Fire Department confirming sufficient pressure in the existing hydrants.

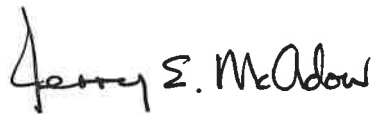
18] **Joint Access Easement**

SUB Properties, LLC and Washington East LLC (Scott Faust) entered into a “Grant of Reciprocal Easements” on March 4, 1999 under the terms of which a joint and mutual access easement (and other easement access rights) was agreed to by the parties. A copy of that easement agreement is attached to this LOI as Exhibit C (consisting of 16 pages). We have maintained contact with Mr. Faust (as required by the easement agreement) and it is our belief and understanding that Mr. Faust does not object to the project being constructed in accordance with the plans submitted by the LUA.

Please call the undersigned if there are any questions regarding this LOI or if anyone feels that additional information is needed or would be useful in order to proceed. Thank you for your consideration.

Sincerely,

BOARDMAN & CLARK LLP



Jerry E. McAdow

JEM:pr